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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,443

12/12/2003

Georg Fischer

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11/19/2004

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
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EXAMINER

HARRIS, ANTON B

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,443

Applicant(s)

FISCHER ET AL.

Examiner

Anton B Harris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10/734443.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments, see pages, filed 24 August 2004, with respect to the rejection(s) of claim(s) 9, 10, and 15 under 35 U.S.C. 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Prudhon (6,043,434) and Fisher (6,467,414 B1).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8, 11-14, 16, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Layton, Jr. (6,362,421 B1).

Regarding claim 1, Layton, Jr. (col. 4 lines 8-67) discloses a circuit module comprising a housing 1 accommodating a motor vehicle circuit 10 (col. 6, line 3) and comprising a contact wire 5 brought out of said housing 1, said contact wire 5 being connected to the motor vehicle circuit 10, wherein the contact wire 5 is brought out of the housing 1 through a housing wall 3 surface enclosing the contact wire 5 and that the contact wire 5 passes through an elastomeric seal 52 which seals the wall 3 surface against oil and splash water.

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Regarding claim 2, Layton, Jr. (col. 4 lines 8-67) discloses that the seal 52 is made of a polyimide-based material.

Regarding claim 3, Layton, Jr. (col. 4 lines 8-67) discloses that the seal 52 is made of an epoxy-resin-based material.

Regarding claim 4, Layton, Jr. (col. 4 lines 8-67) discloses that the seal 52 is positively locked in the wall 3 surface of the housing 1.

Regarding claim 5, Layton, Jr. (col. 4 lines 8-67) discloses that the contact wire 5 is positively locked in the seal 52.

Regarding claim 6, Layton, Jr. (col. 4 lines 8-67) discloses that the seal 52 covers an opening in the wall 3 surface and surmounts a sealing ring running around the opening.

Regarding claim 7, Layton, Jr. (col. 4 lines 8-67) discloses that the seal is implemented in a compression element.

Regarding claim 8, Layton, Jr. (col. 4 lines 8-67) discloses that the seal 52 is implemented as a male connector containing a plurality of contact wires 35-38.

Regarding claim 11, Layton, Jr. (col. 4 lines 8-67) discloses a method of manufacturing a circuit module comprising the steps of:

- providing a module housing 1 having a base plate 3,
- providing at least one opening (col. 3, line 61) in said base plate 3;
- placing an electronic circuit 10 inside said housing 1 on said base plate 3,
- providing a sealing element 50, 52 which includes a connector 44,
- sealing said opening (col. 3, line 61) with a seal element 50, 52, and

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- connecting said connector 44 with said circuit 10.

Regarding claim 12, Layton, Jr. (col. 4 lines 8-67) discloses the steps of providing that a seal 50, 52 is surrounded by a compression element.

Regarding claim 13, Layton, Jr. (col. 4 lines 8-67) discloses the steps of providing that a seal is manufactured of a polyimide-based material.

Regarding claim 14, Layton, Jr. (col. 4 lines 8-67) discloses the steps of providing that a seal 50, 52 is manufactured of an epoxy-resin-based material.

Regarding claim 16, Layton, Jr. (col. 4 lines 8-67) discloses the steps of providing that an opening (col. 3, line 61) receives a seal 50, 52 with a single connector 44.

Regarding claim 17, Layton, Jr. (col. 4 lines 8-67) discloses the steps of providing that an opening (col. 3, line 61) receives a seal 50, 52 with multiple connectors 47-50 separated from each other through the seal 50, 52.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not

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commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Layton, Jr. in view of Fisher.

Regarding claim 9, Layton, Jr. (col. 4 lines 8-67) discloses a circuit module comprising a housing 1 accommodating a motor vehicle circuit 10 and comprising a contact wire 5 brought out of said housing, said contact wire 5 being connected to the motor vehicle circuit 10, wherein the contact wire 5 is enclosed by a seal disposed in a compression element, but lacks a glass seal.

Fisher (col. 3, lines 24-29) teaches a glass seal 56.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Layton, Jr. by providing a glass seal in order to electrically isolate electrical pins in view of the teachings of Fisher.

Regarding claim 15, Fisher (col. 3, lines 24-29) teaches the steps of providing that a seal 56 is manufactured of glass.

7. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Layton, Jr. in view of Prodhon.

Regarding claim 10, Layton, Jr. (col. 4 lines 8-67) discloses an arrangement comprising connecting leads 47-50 and contact pins 44, wherein the connecting leads 47-50 comprise conductors connected to the contact pins 44, but lacks conductors reinforced by extruded ribbons.

Prodhon (col. 3, lines 24-29) teaches a glass seal 56.

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Layton, Jr. by providing conductors reinforced by extruded ribbons in order to produce flat cables in view of the teachings of Prodhon.

Regarding claim 18, Layton, Jr. (col. 4 lines 8-67) discloses the steps of:

- providing a connecting lead 47-50, wherein the connecting lead 47-50 comprise at least one conductor,
- connecting the conductor with said connector 44 to establish an electrical connection with the electronic circuit 10, but lacks conductors reinforced by extruded ribbons.

Prodhon (col. 3, lines 24-29) teaches a glass seal 56.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Layton, Jr. by providing conductors reinforced by extruded ribbons in order to produce flat cables in view of the teachings of Prodhon.

Response to Arguments

8. Applicant's arguments with respect to claims 9, 10, and 15 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anton B Harris whose telephone number is (571) 272-1976. The examiner can normally be reached on weekdays from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Dean Reichard, can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

abh

11/15/04


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